

THE RAJASTHAN BHOODAN YAGNA (AMENDMENT AND VALIDATION) ACT, 1984
(Act No. 6 of 1984)

[Received the assent of the Governor on the 12th day of April, 1984]

An

Act

further to amend the Rajasthan Bhoodan Yagna Act, 1954 and to validate the constitution of the Bhoodan Yagna Board.

Be it enacted by the Rajasthan State Legislature in the Thirty-fifth Year of the Republic of India, as follows:—

1. Short title and commencement.—(1) This Act may be cited as the Rajasthan Bhoodan Yagna (Amendment and Validation) Act, 1984.

(2) It shall come into force at once.

2. Amendment of section 4, Rajasthan Act No. XVI of 1954.—In section 4 of the Rajasthan Bhoodan Yagna Act, 1954 (Rajasthan Act No. XVI of 1954), hereinafter referred to as the principal Act.—

(a) in sub-section (1),—

(i) in clause (a), for the words “Shri Acharya Vinoba Bhaven”, the words “the State Government” shall be substituted:

(ii) in clause (b), for the words “Shri Acharya Vinoba Bhaven”, the words “the State Government ” shall be substituted:

(iii) the existing proviso to the said sub-section shall be deleted; and

(b) in sub-section (3),-

(i) before the existing proviso to the said sub-section, the following proviso shall be and shall be deemed always to have been inserted with effect from the 22nd day of June, 1930, namely :—

“Provided that the Chairman, the Secretary and members of the Board nominated under notification \O. F. 8 (26) Rev./ B- 63, dated 22nd June, 1976 of the Revenue (Group-1V), Department of the Government of Rajasthan, published in the Rajasthan Gazette (Extraordinary) Part 1V-C of the even date shall hold office for a period of sixty days from the commencement of the Rajasthan Bhoodan Yagna (Amendment and Validation) Act, 1984, or until a new Board is constituted, whichever is earlier; and

(ii) in the existing proviso to the said sub-section, between the word “Provided” and the word ‘that’, the word ““further” shall be and shall be deemed always to have been inserted with effect from the 22nd day of June, 1980 and the expression “, on the advice of Shri Acharya Vinoba Bhave or the Akhil Bharat Serva Sewa Sangh, Wardha,” and further the expression, “in the opinion of the majority of the members of the Board,” shall be deleted.

3. Amendment of section 5, Rajasthan Act No. XVI of 1954.— In sub-section (1) of section 5 of the principal Act, for the expression “Shri Acharya Vinoba Bhave or, in his absence, the Akhil Bharat Serva Sewa Sangh, Wardha,”, the expression “the State Government” shall be substituted.

4. Amendment of section 24, Rajasthan Act No. XVI of 1954.—The existing section 24 of the principal Act shall be numbered as sub-section (1) thereof and after sub-section (1) as so re-numbered, the following new sub-section shall be inserted, namely :—

"(2) Notwithstanding anything contained in sub-section (1) or in any law for the time being in force, it shall be lawful for a Bhoodan holder to mortgage his interest in the whole or part of the land allotted to him under this Act in favour of the State Government or a Land Development Bank as defined in the Rajasthan Co-operative Societies Act, 1965 (Rajasthan Act 13 of 1965) or a co-operative society registered or deemed to be registered as such under the said Act or any Scheduled Bank or any other institution notified by the State Government in that behalf for all or any of the purposes specified in section 84 of that Act.”

5. Amendment of section 25, Rajasthan Act No. XVI of 1954.— In section 25 of the principal Act, for the expression “If any holder of Bhoodan land commits a breach of any of the conditions from (a) to (e) in section 24”, the expression “Subject , to the provisions contained in sub-section (2) -of section 24, if any holder of Bhoodan land commits a breach of any of the conditions specified in clauses (a) to (e) of sub-section (1) of that section” shall be substituted.

6. Validation of actions of Bhoodan Yagna Board.— (1) Notwithstanding anything contained in section 4 of the Rajasthan Bhoodan Yagna Act, 1954 (Rajasthan Act No. XVI of 1954) (hereinafter referred to as the Act) or in any other provisions of the Act as they stood before the commencement of the Rajasthan Bhoodan Yagna (Amendment and Validation) Act, 1984, the Rajasthan Bhoodan Yagna Board (hereinafter referred 40 as the ‘Board’) constituted under Notification No. F. 8 (26) Rev./B-68 dated 22nd June, 1976 of the Revenue (Group IV)

Department of the Government of Rajasthan shall be, and shall be deemed always to have been validly constituted with respect to the period commencing from 22nd June, 1980 and upto the coming into force of the Rajasthan Bhoodan Yagna (Amendment and Validation) Act, 1984 and accordingly,—

- (i) all actions taken, things done, appointments and transfers made, powers exercised by the Board or by any Officer or authority subordinate to it and functions performed by it, shall be deemed, during the said period, to have been lawfully and validly taken, done, made, exercised or, as the case may be, performed:
- (ii) the administration of all lands vested in the Board, the acceptance of grants. donations, gifts or loans by the Board from the Central or State Government or local authority or any individual or body for the purpose of the Board, the acceptance of donations and grants of land from any owner of the land, the holding of funds and other assets vesting in the Board and their application, the constitution of Tehsil committees, and the preparation of list of lands donated to the Bhoodan Yagna, shall, during the said period, be deemed to have been validly made or done by the Board; and
- (iii) the grant of land vested in the Board to landless persons, the transfer, sale or exchange of land by the Board in accordance with the provisions of the Act and the rules made by it thereunder shall, during the said period, be deemed to have been validly made.

(2) No action taken, thing done, appointment or transfer made, power exercised or function performed by the Board or by any officer or authority subordinate to it and no other action, transaction or act referred to in sub-section (1) taken, made or as the case may be, done by the Board, during the said period, shall be liable to be questioned in any court on the ground that after the expiry of the term of the Board on 21st June, 1980, fresh Board was not constituted on 22nd June, 1980.
